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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: GÜNTHER KNEBEL *ETAL* EXAMINER: M. A. ANDERSON
SERIAL NO.: 09/883,435 GROUP: 1765
FILED: JUNE 18, 2001
FOR: REACTION VESSEL

REPLY BRIEF UNDER 37 CFR 1.193(b)

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Commissioner for Patents
P.O. Box 1450
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Sir:

This is in reply to new points of argument raised in the Examiner's Answer of August 23, 2004.

The Examiner has stated that "(t)he design choice of the arrangement of the crystallization units in the tray does not effect the use of the tray to form crystals and thus is obvious." While it is true that the reference as well as appellants use their tray to form crystals and that such use is, therefore, obvious, appellants' "design choice" has a number of **unobvious** advantages set forth in the specification on pages 5-15, more particularly the maximization of the number of reaction chambers in the reaction vessel. Thus, the very high density of reaction areas enables them to be filled with crystallization solution with filling devices suitable for

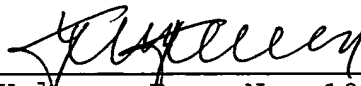
filling several reaction areas at the same time (page 5, last paragraph). Thus, merely suggesting that the geometry and number of crystallization units in the tray may be changed does not make it obvious to provide the specific geometry claimed by appellants.

As to the term "immediately adjacent" questioned by the Examiner, it has the ordinary dictionary meaning and is not believed to require further definition. It simply means that there is no space between the reaction chambers, except for the common walls 5 which demarcate them from each other, see also the definition on page 24, lines 12-14, of the specification. ("Demarcate" is defined as to "separate distinctly" in the Random House Dictionary of the English Language.) Thus, since Kim et al's drop chambers are outside the central reaction chamber and protrude therefrom, there is necessarily a space between the reaction chamber and they are "**not immediately adjacent.**"

Concerning the Examiner's argument that Kim et al suggest "another reaction area formed by a recess in a cover slip," appellants have perused col. 2, line 63, to col. 3, line 5, of the patent but find nothing in this passage, nor in the patent drawings, suggesting such a **recess**.

Entry of this reply brief addressing the new points of argument is respectfully solicited.

Respectfully submitted,
GUENTHER KNEBEL ET AL

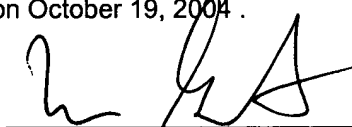


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on October 19, 2004.



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